

MINUTES OF THE LAFAYETTE COMMON COUNCIL
May 3, 2010
REGULAR MEETING

The Common Council of the City of Lafayette, Indiana met in regular session on Monday May 3, 2010 at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Weast-Williamson called the meeting to order at 7:00 pm.

The Pledge of Allegiance was given to the flag of our Country.

The following members were present:

Present: Heide, Klinker, Meyer, Cornstuble, Campbell, Brown, Ahlersmeyer, Downing and Weast-Williamson.

The City Clerk stated that there was a quorum present.

City Clerk Cindy Murray and City Attorney Ed Chosnek were present.

Councilman Campbell moved to recess for a public hearing on Ordinance 2010-09 (An Ordinance for Appropriation of Local Option Highway User Tax Funds-County Wheel Tax, Fund #249), Councilman Brown seconded. No public comment was heard. Councilman Campbell moved to reconvene the regular meeting, Councilman Brown seconded. The motion passed by unanimous voice vote.

Councilman Campbell moved to approve the minutes from the April 5, 2010 regular council meeting. Councilman Meyer seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Claims, Petitions or Communications.

The Clerk stated the following reports are available in the City Clerk's Office:

Clerks Office Monthly-March 2010
Motor Vehicle and Fleet Maintenance Monthly-March 2010
Police Department Monthly-March 2010
Water Works Department Monthly-March 2010
Water Pollution Control Department Monthly-March 2010

Ordinances for Second Reading:

The Clerk read Ordinance 2010-05 (An Ordinance Amending Section 8.08.800 and 8.08.850 of the City of Lafayette Municipal Code) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Heide seconded. Mayor Roswarski spoke regarding the Ordinance. Lisa Christy, 522 South 31st St. questioned if the property owner or the tenant would be responsible for the monthly fee. Ed Chosnek, City Attorney, responded the property owner is ultimately responsible for payment. Wick Dixon 3204, Elmwood Ave, thanked Mayor Roswarski

and the Council for the changes that were made to allow more affordability for citizens on fixed incomes. Ordinance 2010-05 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2010-09 (An Ordinance for Appropriation of Local Option Highway User Tax Funds-County Wheel Tax, Fund #249) by title only on second and final reading. Councilman Heide moved for passage, Councilman Klinker seconded. Mayor Roswarski spoke regarding the Ordinance. Ordinance 2010-09 passed 8-0 on a roll call vote on second and final reading.

The Clerk read Ordinance 2010-11 (Historic Preservation Commission Ordinance-An Ordinance Repealing Title 12 Historic Preservation and Protection and Replacing it with a New Title 12 Historic Preservation and Protection) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Cornstuble seconded. Brian Bugajski, Community Development Dept. gave a short overview of the proposed Ordinance. The following citizens spoke regarding Ordinance 2010-11

Ila Soloman, 414 So. 14th Street spoke in opposition

Kurt Wahl, 1815 Underwood Street spoke in support

Perry Barbee, 3801 Burberry Dr. questioned enforcement and violations.

Mayor Roswarski clarified a violation versus historic changes

Sandy Lahr, 822 Kossuth Street spoke in support

Terry Masterson, 1115 Central Ave spoke in opposition

Julie Ginn, 1210 Digby spoke in support

Wick Dixon, 3204 Elmwood Ave commented on the Ordinance

Dave Lahr, 822 Kossuth Street spoke in support

Michael Hunt, 602 N. 5th Street spoke in support

Ordinance 2010-11 passed 8-0 on a roll call vote on second and final reading.

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Ordinances for First Reading:

The Clerk read Ordinance 2010-12 (An Ordinance to Vacate a Portion of the Public Way in the City of Lafayette, Indiana-Ivy Tech Community College) by title only on first reading.

Councilman Campbell moved for passage, Councilman Brown seconded. Councilman Meyer left the meeting due to conflict at 7:51 PM. Joe Bumbleburg, Attorney representing the petitioner, spoke regarding the Ordinance. Ordinance 2010-12 passed 7-0 on a roll call vote on first reading.

Councilman Campbell moved to set a public hearing on June 7, 2010 at 7:01 PM for Ordinance 2010-12, Councilman Downing seconded. The motion passed by unanimous voice vote.

Councilman Meyer returned to the meeting at 7:55 PM.

The Clerk read Ordinance 2010-13 (An Ordinance Amending Chapter 8.06 Entitled Trees and Shrubs of the Lafayette Municipal Code) by title only on first reading. Councilman Brown moved for passage, Councilman Heide seconded.

Ed Chosnek, City Attorney requested Council to amend Ordinance 2010-13 due to a scrivener's error as follows: section E. wording ANSI Z1311.1 should be replaced with ANSI Z133.1.

Councilman Cornstuble moved to amend, Councilman Campbell seconded. The motion passed by unanimous voice vote.

Belinda Kiger, City Forester, stated this Ordinance enacts Arbor culture standards and requires local tree trimmers to follow these standards. Councilman Campbell questioned if residents are still allowed to cut down trees on their property. Ms. Kiger answered the only restriction to residents are trees in the right of way or trees on public property and if residents need guidance they may call the Office of the City Forester. Tracy Walder, Lafayette Tree Advisory Committee spoke in support. Arlan Stavenheim, 1621 Skyline Rd, spoke in support. Lloyd Wells, 3717 Rawlings Dr. spoke in support. Terry Masterson, 1115 Central St. was concerned about charging fees for licensing. Perry Barbee 3801 Burberry Dr, spoke in support Ordinance 2010-13 passed 8-0 on first reading. Ordinance 2010-13 as amended passed 8-0 on a roll call vote on first reading.

The Clerk read Ordinance 2010-14 (An Ordinance for An Additional Appropriation of Local Roads & Streets Fund-Fund 208) by title only on first reading. Councilman Meyer moved for passage, Councilman Klinker seconded. Mayor Roswarski spoke regarding the Ordinance stating the funds have previously been allocated, they are just being transferred to a different account to allow for additional road paving. Ordinance 2010-14 passed 8-0 on a roll call vote on first reading.

Councilman Campbell moved to set a public hearing on June 7, 2010 at 7:02 PM, for Ordinance 2010-14, Councilman Meyer seconded. The motion passed by unanimous voice vote.

The Clerk read Ordinance 2010-15 (An Ordinance to Amend Title 2 of the Lafayette Municipal Code Entitled "Administration and Personnel" to Create A "City of Lafayette Responsible Bidder Ordinance") by title only on first reading. Councilman Heide moved for passage, Councilman Cornstuble seconded. Mayor Roswarski explained the purpose of this Ordinance is to ensure the City has the most qualified bidders working on city projects. Pat Richards, Builders Association of Greater Lafayette questioned affects of the Ordinance on local builders. Eric Clawson, Lafayette spoke in support of the Ordinance. Ordinance 2010-15 passed 8-0 on a roll call vote on first reading.

The Clerk read Ordinance 2010-16 (An Ordinance Repealing Chapter 8.07, Weeds and Noxious Plants, and Replacing it With New Chapter 8.07, Weeds and Vegetation) by title only on first reading. Councilman Campbell moved for passage, Councilman Meyer seconded. Ed Chosnek, City Attorney stated the purpose of this Ordinance is to simplify and clarify the procedure for notifying property owners who receive weed/grass violations and their appeal process. Ordinance 2010-16 passed 8-0 on a roll call vote on first reading.

The Clerk read Ordinance 2010-17 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana, to Rezone Certain Real Estate from R1 to GB-1821 Creasy Lane South) by title only on first and final reading. Councilman Cornstuble moved for passage, Councilman Heide seconded. Councilman Cornstuble spoke regarding this Ordinance. Shawn Findley, 3713 250 W, the petitioner spoke regarding the purpose of this change. Ordinance 2010-17 passed 8-0 on first and final reading.

There are No Resolutions:

There were no Reports of Standing Committees:
There were no Reports of Special Committees:
There was no Report by the Mayor:
There was no Miscellaneous and New Business:
There were no Reports of Council:

Public Comment:

Brian Bugajski, Community Development, announced several events taking place during Historic Preservation Month

Lloyd Wells, 3717 Rawlings drive spoke in opposition of the raised pedestrian crossing on Greenbush Street

Perry Barbee, 3801 Burberry Dr spoke in support of the raised pedestrian crossing.

Terry Masterson, 1115 Central questioned if there would be exemptions to the Historic Preservation changes and presented the City Clerk with a list of signatures of people opposed to the changes.

Councilman Campbell moved to adjourn Councilman Heide seconded. Meeting adjourned at 8:57 pm.

Minutes prepared by Cindy Murray, City Clerk

Complete audio of meeting available in the City Clerks office or at www.lafayette.in.gov